

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

|                                   |   |                                |
|-----------------------------------|---|--------------------------------|
| BEVERLY ROBERTS, <i>et al.</i> ,  | ) |                                |
|                                   | ) |                                |
| Plaintiffs,                       | ) |                                |
|                                   | ) |                                |
| v.                                | ) | CIVIL CASE NO. 2:24-cv-035-ECM |
|                                   | ) | (WO)                           |
| CITY OF WETUMPKA, <i>et al.</i> , | ) |                                |
|                                   | ) |                                |
| Defendants.                       | ) |                                |

**ORDER**

Now pending before the Court are the Plaintiffs' unopposed motion for leave to file their first amended complaint (doc. 25) and the Defendants' motion to dismiss (doc. 19).

The Court first addresses the Plaintiffs' unopposed motion for leave to file their first amended complaint. In contravention of Local Rule 15.1, the Plaintiffs separately filed their proposed First Amended Complaint instead of attaching it to their motion. (*See* docs. 25, 26); M.D. Ala. LR 15.1 ("A party who moves to amend a pleading, document or other papers shall attach the original of the amendment to the motion."). Nonetheless, Local Rule 15.1 further states that "[a] failure to comply with this rule is not grounds for denial of the motion." M.D. Ala. LR 15.1. Therefore, the Plaintiffs' motion is due to be GRANTED.

In light of the amended complaint (doc. 26), the Defendants' motion to dismiss is now moot. Accordingly, it is

ORDERED that the Plaintiffs' unopposed motion (doc. 25) is GRANTED with the separately docketed amended complaint (doc. 26) serving as the operative amended complaint. It is further

ORDERED that the Defendants' motion to dismiss (doc. 19) is DENIED as moot.

Done this 28th day of March, 2024.

/s/ Emily C. Marks  
EMILY C. MARKS  
CHIEF UNITED STATES DISTRICT JUDGE